



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/558,544	11/16/98	YAMAZAKI	0758-1441

MM21/1113

GERALD J FERGUSON, JR
SIXBEY FRIEDMAN LEEDOM & FERGUSON
2010 CORPORATE RIDGE SUITE 600
MCLEAN VA 22102

EXAMINER
MINTEL, W

ART UNIT	PAPER NUMBER
2811	15

DATE MAILED:

11/13/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/558544

Applicant(s)

YAMAZAKI

Examiner

William MINTEL

Group Art Unit

2811

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on JULY 20, 1998
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-30 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-30 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit:

The previous office action is hereby withdrawn. This error is regretted. The claims are rejected as per the following formal matters. Note, as developed previously in the file history, no rejection is made of the claims because of art.

Amendment A, filed March 7, 1996, is informal because it is not in compliance with 37 CFR 1.121(e) and 1.173 effective prior to December 1, 1997. The text of the added new claims must be underlined.

Amendment B, filed December 15, 1997, is informal because it is not in compliance with 37CFR1.121(b). The amendment to the specification is not in compliance with 1.121(b)(1). The entire text of each paragraph to be amended is required. The amendment to the claims is not in compliance with 37CFR 1.121(b)(2)(i)(A). All added and deleted text from original patent claims 1 and 5 must be underlined or bracketed in the amended version.

Amendment C, filed December 29, 1997, is informal because it is not in compliance with 37 CFR 1.121(b)(2)(i)(C) effective as of December 1, 1997. The text of the added new claims is not underlined.

Written consent of assignee is improper under 37 CFR 3.73(b) because it identifies an incorrect frame no. The correct frame no. is 0448.

Art Unit:

The reissue declaration fails to state that the person signing has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration as required by 37 CFR 1.63(b)(2).

The reissue declaration fails to state that all errors being corrected up to the time of filing of the declaration arose without any deceptive intention on the part of the applicant as required by 37 CFR 1.175(a)(2).

Applicant should request to transfer drawings from the parent case or supply formal drawings.

Any inquiry concerning this communication should be directed to W. Mintel at telephone number (708) 308-4916.

William Mintel

William Mintel
Primary Exmr.
A11 2811